



BOARD OF ADJUSTMENT AFTER ACTION

FRIDAY, JUNE 1, 2001 - 9:00 A.M.

1700 Convention Center Drive
Commission Chambers - Third Floor
Miami Beach, Florida 33139

A. ELECTION OF OFFICERS

Chairman: Ted Berman
Vice Chairperson: Joy Malakoff

B. DISCUSSION ITEMS

I. CONFLICT OF INTEREST

a. CODE OF ETHICS

II. TIME LIMITATIONS FOR VARIANCES

C. PROGRESS REPORT

**1. FILE NO. 2777 MAIRELY RODRIGUEZ
d/b/a TROPICAL ON THE BEACH
1415 WASHINGTON AVENUE**

The applicant will present a progress report regarding the operation of this restaurant which obtained a variance on December 1, 2000 to sell/serve alcoholic beverages within the proximity of Fienberg-Fisher Elementary School. The presentation of this report was requested by the Board at its March 2, 2001 meeting (they requested that the applicant appear 60 days after obtaining an occupational license and certificate of use). (Note: The Board shall determine whether subsequent progress reports are needed, and if so, shall establish a time frame for future reports.)

No further reports unless necessary.

D. DEFERRED and CONTINUED CASES

6. A variance to waive all of the 7' - 6" side yard setbacks for decks in order to construct an elevated deck and stair along the north side yard.
7. A variance to waive 5' of the minimum required dimension of 15' for a commercial swimming pool in order to construct a 10' wide swimming pool.
8. A variance to waive the required 4' walkway around the swimming pool in order to construct the above mentioned swimming pool.
9. A variance in order to allow a jacuzzi in the front yard of the proposed hotel located approximately 8' from the front property line facing Washington Avenue.
10. A variance to waive the two (2) off street loading spaces required for the operation of the 87 hotel rooms.

Approved.

E. NEW CASES

4. **FILE NO. 2811** **GUSTAVO & GABRIELA ARIAS**
814 - 86th STREET

The applicant is requesting the following variances in order to construct a two story addition to an existing townhouse:

1. A variance to waive all of the required east side setback of 7.5' in order to construct a two story addition along the interior east side yard.
2. A variance to waive eleven inches of the minimum required west side setback of 7.5' in order to construct a two story addition 6' - 7" from the west side yard.
3. A variance to waive 9' - 6" of the minimum required 20' rear yard setback in order to construct the above two story addition 10' - 6" from the rear property line.

Approved.

5. **FILE NO. 2812** **O.B.R. LIMITED, L.P.**
4835 COLLINS AVENUE

725 - 71st STREET

The applicant is requesting the following variance in order to serve beer and wine at a proposed restaurant within 300 feet of a property used as an educational facility:

1. A variance to waive 105' of the minimum required 300' separation between a commercial use which sells or offers for consumption alcoholic beverages and a property used as an educational facility. The restaurant is located approximately 195' from Dovid Jacob Memorial Campus, Yeshiva Tora Chaim.

Approved. Must present progress report 3 months after obtaining a beer and wine license.

8. FILE NO. 2816 **EMILIO MANTERO-ATIENZA
278 PALM AVENUE**

The applicant is requesting the following "after-the-fact" variance in order to retain a third floor addition, for an existing single family residence, that was constructed without a permit:

1. A variance to exceed by 6' - 9" the maximum permitted height, for the subject property, of 25' in order to retain a 31' - 9" high partial third floor that was constructed without a permit.

Approved.

JGG/AV/ah

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